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FILED
DISTRICT COURT OF GUAM
JUN - 1 2006 *mb*
MARY L.M. MORAN
CLERK OF COURT

UNITED STATES DISTRICT COURT

DISTRICT OF GUAM

UNITED STATES OF AMERICA)	Criminal Case No. CR-04-00008
)	
Plaintiff,)	
)	
vs.)	DEFENDANT'S PROPOSED JURY VOIR
)	DIRE
KUANG HUA CHEN,)	
)	
Defendant.)	

COMES NOW Defendant KUANG HUA CHEN through his counsel Curtis C. Van de veld, Esq., to submit Defendant's proposed jury voir dire for supplementing the court's standard voir dire.

1. This case involves a defendant who is not a citizen of the United States but rather is a citizen of China. He is entitled to no less consideration than you would demand if some one close to you were on trial. If you believe that under these circumstances, you may not be able to assure the court and the parties that you could be fair and impartial if selected as a juror, please stand.

2. This case involves recordings and testimony in various dialects of the Chinese language. If any of you speak or understand a dialect of the Chinese language please stand.

UNITED STATES OF AMERICA, Plaintiff v. KUANG HUA CHEN, Defendant
DEFENDANT'S PROPOSED JURY INSTRUCTIONS

Criminal Case No. CR-04-00008

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ORIGINAL

1 2.1. For those of you standing, please identify which dialect or dialects of the
2 Chinese language you speak and the extent of your knowledge of the dialect or dialects.

3 2.2 You will be instructed that you may only consider the official interpretation of
4 testimony and official translation of documents, even though you may disagree with the
5 accuracy of the interpretation or translation. Please stand if you believe that you may not be
6 able follow this instruction.

7 3. If you did not graduate from high school or obtain an equivalency certificate or
8 otherwise believe that your ability to understand the evidence in this case may not rise to a
9 level that you feel you could competently follow the evidence, please stand.

10 4. If you are selected as a juror, at the end of the case, I will instruct you upon the
11 law that you must apply to the evidence in the case. You may disagree with the instructions
12 that I give you or you may not like the law as I tell you, but you must follow the law as I
13 instruct. If you believe that you will not be able to perform the duty of a juror because you
14 have such strong and fixed opinions about the kinds of matters involved in this case, please
15 stand.

16 5. Much of the evidence in this case will come from the testimony of law
17 enforcement officers. If you believe that you will treat the testimony of law enforcement
18 officers with greater credibility than that of any other witness, even though I instruct you not
19 to do so, please stand.

20 6. If you believe that if a person is arrested they must be guilty, and even though I
21 tell you that the defendant is presumed innocent and remains innocent until the government
22 has proven otherwise beyond a reasonable doubt, that being a doubt based on reason arising
23
24
25

1 from the evidence or lack of evidence, you believe that you cannot accept the presumption of
2 innocence and will continue to presume the Defendant is guilty, please stand.

3 7. If you were called upon to determine the guilt or innocence of the Defendant at
4 this time, if you would vote guilty, please stand.

5 DATED: this Wednesday, May 31, 2006.

6 **VAN DE VELD SHIMIZU CANTO & FISHER**

7
8
9 By: 

10 Mr. Curtis C. Van de veld, Esq.
11 Attorney for Defendant
12 KUANG HUA CHEN

13 CCV:ccv
VSCF/K.H. CHEN